REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-3, 9-31, 34-45, and 51-67 are pending in this application. Claims 1, 9, 17, 29, 43, 44, 51-57, 59, 60, 62, and 63 have been amended, and Claims 64-67 have been added by way of the present amendment. Support may be found in the originally filed disclosure, at least, in Figures 2, 3, 10, and 11, and the corresponding descriptions. Thus, no new matter has been added.

In the outstanding Office Action, Claims 1-3 and 9-28 were rejected under 35 U.S.C. §101 as directed to non-statutory subject matter; Claims 1-3, 9-11, 13-31, 34-35, 37-45, 51-53, and 55-63 were rejected under 35 U.S.C. §103(a) as unpatentable over Hirai et al. (U.S. Patent Publication No. 2004/0021890, hereinafter "Hirai") in view of Haraguchi (U.S. Patent No. 7,102,777); and Claims 12, 36, and 54 were rejected under 35 U.S.C. §103(a) as unpatentable over Hirai and Haraguchi, in view Parry et al. (U.S. Patent No. 7,542,160, hereinafter "Parry").

With regard to the rejection of Claims 1-3 and 9-28 under 35 U.S.C. §101, Applicants respectfully submit that Claim 1, and claims depending therefrom, are directed to statutory subject matter. For example, Claim 1 recites an electronic apparatus comprising a communicating unit, a storage unit, a plurality of hardware resources, and a processing unit which includes a controlling unit, an authenticating unit, and an operation execution permitting unit.

Thus, Claim 1 is clearly tied to a particular machine. Based on the new USPTO guidelines resulting from the *Bilski v. Kappos* decision, Applicants respectfully submit that being tied to a particular machine is a factor weighing towards patent eligibility.

It is further respectfully submitted that the USPTO guidelines and the *Bilski v. Kappos* decision do not discuss that "software only embodiments," as noted by the Office Action on page 2, are per se non-statutory under 35 U.S.C. §101.

Thus, since Claim 1 is directed to an apparatus, which falls within the statutory classes of 35 U.S.C. §101, Applicants respectfully request withdrawal of the outstanding grounds for rejection of Claims 1-3 and 9-28 under 35 U.S.C. §101.

Addressing now the rejection of Claims 1-3, 9-11, 13-31, 34-35, 37-45, 51-53, and 55-63 under 35 U.S.C. §103(a) as unpatentable over Hirai and Haraguchi, Applicants respectfully traverse this rejection.

Claim 1 recites, in part,

> a controlling unit configured to execute an operation using an application within the external apparatus by communicating with the external apparatus by the communicating unit when the communicating unit receives from the external apparatus an operation execution request that is issued by the application and requests execution of the operation using the application, the operation providing an image processing function using at least one of the plurality of hardware resources specified by the application;
> an authenticating unit configured to carry out, using authentication information that is added to the operation execution request, an authentication process to confirm validity of the operation execution request when the communicating unit receives the operation execution request from the external apparatus, the authentication information including identification information unique to the application, and the authenticating unit confirming that the operation execution request is valid if the identification information matches the identification information that is stored in the storage unit; and
> an operation execution permitting unit configured to permit execution of the operation if the authenticating unit confirms that the operation execution request is valid.

Hirai describes an apparatus that can send an authentication result of a user by using a calling procedure, such that the authentication result of the user can be used by various

compound machines, PCs, and management servers on a network.[1] According to Hirai, user

authentication is performed by comparing user inputs (i.e., userID, name, or the like) inputted

via an authentication screen displayed on the operation panel of a compound machine, for

example, with user information stored in a user database.[2]

In other words, Hirai discusses a *user* authentication process.

In contrast, Claim 1 recites an authenticating unit configured to carry out, using

authentication information that is added to the operation execution request, *an*

authentication process to confirm validity of the operation execution request when the

communicating unit receives the operation execution request from the external apparatus, the

authentication information including identification information unique to the application, and

the authenticating unit *confirming that the operation execution request is valid if the*

identification information matches the identification information that is stored in the

storage unit.

In other words, Claim 1 authenticates the validity of an operation execution request by

using identification information which is unique to an application, whereas Hirai

authenticates a user.

Applicants respectfully submit that *authenticating a user* (i.e., a person who instructs

a process to be performed in the compound machine)," as described in Hirai is unrelated to

and does not correspond with *authenticating an external application* (i.e., an application

within the external apparatus that provides an image processing function using one or more

hardware resources within the compound machine)," as is recited in Claim 1.

Nonetheless, the outstanding Office Action notes, on page 14, that Hirai's paragraphs

[0105], [0106], and Figures 10 and 14 *suggest* the aforementioned feature. In particular, it

appears that the Office is of the opinion that when the user is authenticated in Hirai, the

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[1] Hirai: paragraph [0010].
[2] Hirai: paragraph [0093].

application the authenticated user is permitted to use is also identified, and thus, application

authentication is performed when the user authentication is performed. Applicants

respectfully traverse these assertions and respectfully note that Hirai does not teach or

suggest such features.

At best, the Hirai reference describes "[sending] an ID input by the user and

identification of an application that the user wants to use ... [and determining] whether the

application can be used by the user by using the received ID and the identification [of the

application]."[3] In other words, if the user wishes to use application A, the user inputs his or

her ID, which is then sent along with the identification of the application (i.e., application A)

to be authenticated. Next, the *user authentication* is performed by comparing the inputted

user with user information stored in a user database.[4]

Thus, Hirai merely discusses sending a user ID along with the *identification* of an

application the user wishes to use. However, sending an identification of an application that

the user selects does *not* correspond to performing an authentication process on that

application.

Consequently, there is nothing in the Hirai reference that teaches or suggests carrying

out, using authentication information that is added to the operation execution request, *an*

authentication process to confirm validity of the operation execution request when the

communicating unit receives the operation execution request from the external apparatus, the

authentication information including identification information unique to the application, and

the authenticating unit *confirming that the operation execution request is valid if the*

identification information matches the identification information that is stored in the

storage unit, as is recited in Claim 1.

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[3] Hirai: paragraph [0106].
[4] Hirai: paragraph [0093].

Furthermore, Hirai's application used by the authenticated user is provided in the compound machine, *not* in an external apparatus. The claimed application that is authenticated is "within the external apparatus," as recited by Claim 1.

Thus, Hirai also does not describe or suggest *executing an operation using an application within the external apparatus* by communicating with the external apparatus by the communicating unit when the communicating unit receives from the external apparatus an operation execution request that is issued by the application and requests execution of the operation using the application, *the operation providing an image processing function using at least one of the plurality of hardware resources specified by the application*, as is further recited in Claim 1.

Additionally, Applicants respectfully submit that Haraguchi does not cure the above-identified deficiencies of Hirai.

Haraguchi describes a system in which an image processing apparatus communicates with various services, such as an image processing service, an accounting service, an advertisement service, a content service, and a maintenance service.[5]

As illustrated in Figure 8 of Haraguchi, the image processing apparatus sends a service request, related to the use of an application, to an external service provider.[6] According to Haraguchi, if the service provider confirms that the received service request is from a registered image processing apparatus, the service provider sends to the image processing apparatus a processed result using the application within the service provider.[7]

In other words, in Haraguchi, although the application is provided in the service provider, it is the image processing apparatus that makes the service request, and *not* an external application within the service provider.

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[5] Haraguchi: Figure 2.
[6] Haraguchi: column 5, lines 31-45.
[7] Haraguchi: column 5, lines 31-45.

Thus, Haraguchi fails to show at least that the communicating unit of the electronic

apparatus *receives from the external apparatus an operation execution request* that is issued

by the application, as is recited in Claim 1.

Accordingly, Applicants respectfully submit that Hirai and Haraguchi, whether taken

alone or in combination, do not describe, suggest, or render obvious the features of

independent Claim 1. Additionally, Applicants respectfully note that Hirai and Haraguchi

also do not describe, suggest, or render obvious the features of independent Claim 29, for

reasons similar to those discussed above. In particular, Hirai and Haraguchi also fail to teach

or suggest "executing an operation using an application within the external apparatus when

an operation execution request that is issued by the application and requests execution of the

operation using the application is received from the external apparatus, the operation

providing an image processing function using at least one of a plurality of hardware resources

within the electronic apparatus and specified by the application, [and] carrying out, using

authentication information that is added to the operation execution request, an authentication

process to confirm validity of the operation execution request when the operation execution

request is received from the external apparatus, the authentication information including

identification information unique to the application, and the authentication process

confirming that the operation execution request is valid if the identification information

matches identification information that is registered in advance in a storage unit within the

electronic apparatus."

Furthermore, Applicants respectfully note that Hirai and Haraguchi also do not

describe, suggest, or render obvious the features of Claim 43, for reasons similar to those

discussed above. Specifically, Hirai and Haraguchi fail to teach or suggest "executing, using

a controlling function, an operation using an application within the external apparatus by

communicating with the external apparatus by the communicating function when an

operation execution request that is issued by the application and requests execution of the

operation using the application is received from the external apparatus by the communicating

function, the operation providing an image processing function using at least one of a

plurality of hardware resources within the electronic apparatus and specified by the

application, [and] carrying out, using an authenticating function and using authentication

information that is added to the operation execution request, an authentication process to

confirm validity of the operation execution request when the communicating function

receives the operation execution request from the external apparatus, the authentication

information including identification information unique to the application, and the

authenticating function confirming that the operation execution request is valid if the

identification information matches identification information that is registered in advance in a

storage unit of the electronic apparatus."

Thus, Applicants respectfully request the rejection of Claims 1, 29, and 43, and claims

depending respectively therefrom, be reconsidered and withdrawn.
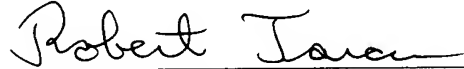
New Claims 64-67 have been added to further define features of the electronic

apparatus of Claim 1 and the computer-readable storage medium of Claim 43. It is

respectfully submitted that the cited references fail to teach or suggest the features of Claims

64-67. Accordingly, Applicants believe new dependent Claims 64-67 contain allowable

subject matter.

Therefore, Applicants respectfully submit that pending Claims 1-3, 9-31, 34-45, and

51-67 are allowable.

Consequently, in view of the present amendment, and in light of the above discussion,

the pending claims as presented herewith are believed to be in condition for formal

allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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